

REMARKS/ARGUMENTS

Claims 1-13 stand rejected in the outstanding Official Action. Claim 1 has been amended and therefore claims 1-13 remain in this application.

The Examiner's approval and entry of the previously submitted abstract, specification and claim amendments is very much appreciated. Additionally, the withdrawal of the rejection of Applicants' claims under 35 USC §102(e) is appreciated.

Claims 1, 4, 5 and 11-13 now stand rejected under 35 USC §102(e) as anticipated by Drupsteen (U.S. Patent 5,856,659). In Applicants' Amendment filed July 6, 2004, Applicants inadvertently removed the limitation that the recited method steps were performed by the microcircuit card. Accordingly, Applicants have amended claim 1 to recite that the method comprises the microcircuit card executing the recited steps.

As discussed in Applicants' specification, particularly on page 3 of the application as filed, known systems present problems if a microcircuit card is interrupted in the middle of a transaction. It is possible that the terminal can be utilized so that in the event of an interruption, the transaction is signaled to be restarted, thereby permitting correction of the microcircuit card. However, Applicants' object is to provide a microcircuit card in which either all of the commands necessary for the transaction are properly completed or none of those commands will be completed.

Applicants implement this desired result by providing all of the method steps to operate in the microcircuit card itself, rather than in an external terminal. Specifically, Applicants' card **provisionally** records each of the items of information "without losing prior values" and then finalizing the modifications for the card memory by confirming either all previous modifications or discarding all modifications. This last step is, of course, the primary benefit of the present

invention. Accordingly, for the Drupsteen reference to anticipate or render obvious the subject matter of Applicants' amended claim 1, it is necessary that he establish that the microcircuit card execute the recited steps in claim 1.

Looking at Drupsteen, in the paragraph bridging columns 5 and 6, there is a teaching that

“the last sequence number S and/or the counter T can be used to undo the effect of the transfer commands which were processed. In order to undue the transfer commands of the failed series, a new series of commands may be provided which have the effect of deleting or undoing the results of the first series.”

Thus, Drupsteen specifically requires that the terminal reissues the transfer commands.

However, Drupsteen contains no indication of what happens to the initially stored data or the manner in which the “effect of deleting or undoing the results of the first series” is to be accomplished.

Applicants' method is to provide information to the microcircuit card, have the microcircuit card provisionally record the information, but without losing the previous recorded values, and then finalizing modifications to the card upon completion of the transaction, whereas the finalization confirms modifications to the card memory or deletes all provisionally recorded modifications. Applicants' amended claim 1 specifies that these method steps are performed by the card and therefore are not tied to the particular terminal in which the card is used. Drupsteen requires operation with a specific terminal and does not indicate that the card accomplishes either the “provisional recording” and/or the “finalization” steps recited in Applicants' independent claim 1 or the claims dependent thereon.

Should the Examiner believes that Drupsteen does teach Applicants' steps being performed by the microcircuit card, he is respectfully requested to point out the column and line number of any such teaching so that Applicants may respond with analysis of that particular

section. In the event there is no disclosure contained in Drupsteen, withdrawal of the rejection of claims 1, 4, 5 and 11-13 under 35 USC §102(e) is respectfully requested.

Claims 2 and 3 stand rejected under 35 USC §103 as unpatentable over Drupsteen and further in view of Fujisaki (U.S. Patent 4,877,945). Inasmuch as claims 2 and 3 depend from claim 1, the above comments distinguishing claim 1 from the Drupsteen reference are herein incorporated by reference. The Examiner does not allege that Fujisaki teaches the missing disclosure in the Drupsteen reference, i.e., a microcircuit card which executes the steps recited in Applicants' independent claim 1. Accordingly, neither Drupsteen nor Fujisaki disclose the subject matter of Applicants' claim 1 and any further rejection thereunder is respectfully traversed.

Claims 7 and 9 stand rejected under 35 USC §103 as being unpatentable over Drupsteen and further in view of Ohashi (U.S. Patent 5,761,309). Inasmuch as claims 7 and 9 ultimately depend from claim 1, the above comments distinguishing claim 1 from the Drupsteen reference are herein incorporated by reference. Additionally, there is no indication from the Examiner that the Ohashi reference teaches the missing method steps of Applicants' independent claim 1, i.e., method steps performed by the microcircuit card itself. Accordingly, neither Drupsteen nor Ohashi teach the subject matter of Applicants' independent claim 1, and thus even if they were combined, they could not render obvious Applicants' claims and any further rejection thereunder is respectfully traversed.

Claims 6, 8 and 10 stand rejected under 35 USC §103 as unpatentable over Drupsteen in view of Vanstone (U.S. patent 6,178,507). Again, because claims 6, 8 and 10 ultimately depend from claim 1, the above comments distinguishing claim 1 from the Drupsteen reference are herein incorporated by reference. There has been no allegation by the Examiner that the

Vanstone reference teaches the missing method steps of Applicants' independent claim 1, i.e., a microcircuit card provisionally recording information in the card memory and the recited finalization step. As a result, even if it were obvious to combine Drupsteen and Vanstone, such combination would fail to disclose the subject matter of Applicants' independent claim 1, and therefore all claims dependent thereon.

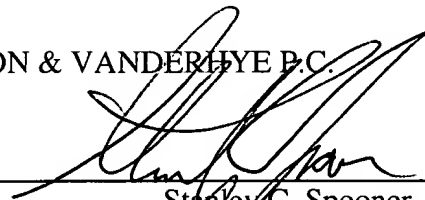
Applicant also notes that there is no objection or rejection of claims 14 and 15 added by the previous amendment.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that claims 1-15 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

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